

Remarks

Claims 1-18 were pending in the application. Claims 1-9 were rejected and claims 10-18 were allowed. By this Amendment, claims 1-9 have been amended and new claims 19 and 20 have been added. Reconsideration of the claims is respectfully requested. No new matter has been added.

Rejection Under 35 U.S.C. § 103

Claim 1 was rejected under § 103(a) as being unpatentable over U.S. Patent No. 4,345,380 issued to Vis (hereinafter "Vis '380") in view of U.S. Patent No. 4,973,957 issued to Shimizu et al. (hereinafter "Shimizu '957"). Claim 1 has been amended to more distinctly claim the present invention. Amended claim 1 recites a first portion "having a transmitter for wirelessly transmitting a first signal," and a second portion spaced apart from the first portion that is "adapted to receive the first signal and generate a second signal indicative of the existence of the gap based on the first signal." Vis '380 does not disclose a first portion that wirelessly transmits a first signal or a second portion that generates a second signal that based on the first signal. Instead, Vis '380 merely recites a gap gauge 10 that "produces an electrical signal which is delivered via line 60" (column 2, lines 20-23). Shimizu '957 does not cure the deficiencies of Vis '380. More specifically, Shimizu '957 does not disclose or even remotely suggest generating a second signal indicative of the existence of a gap that is based on a wirelessly transmitted first signal. Consequently, this rejection is believed to be overcome.

Claims 2, 5 and 6 were rejected under § 103(a) as being unpatentable over Vis '380 in view of Shimizu '957 and in further view of U.S. Patent No. 6,115,930 issued to Shigyo (hereinafter "Shigyo '930"). Claims 2, 5 and 6 depend on amended claim 1. As a result, these claims are believed to be allowable for the reasons previously discussed.

Claims 3, 4, 7 and 8 were rejected under § 103(a) as being unpatentable over Vis '380 in view of Shimizu '957 and in further view of U.S. Patent No. 6,529,164 issued to

Carter (hereinafter "Carter '164"). Claims 3, 4, 7 and 8 depend on amended claim 1. As a result, these claims are believed to be allowable for the reasons previously discussed.

Conclusion

Applicants have made a genuine effort to respond to the Examiner's objections and rejections in advancing the prosecution of this case. Applicants believe all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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